

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SOMMER=1

In re Application of:

Ronen SOMMER, et al.

Appln. No.: 09/895,310

Filed: July 2, 2001

For: FAILURE DETERMINATION
IN AN OFFICIAL COMMUNICATION...

Atty. Docket: SOMMER=1

Confirmation No.: 6600

Art Unit: 2633

Washington, D.C

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June 1, 2004

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Technology Center 2600

INFORMATION DISCLOSURE STATEMENT [IDS]

Customer Window Honorable Commissioner for Patents U.S. Patent and Trademark Office 2011 South Clark Place Crystal Plaza Two, Lobby, Room 1B03 Arlington, Virginia 22202

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §\$1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with $37\ \text{CFR}\ \$1.97$, as it is filed:

(Check one of the boxes A-D)

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

- [] B. before the mailing date of a first Office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.
- [X] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "i" below).

(Check one of the boxes "i" and "ii" below:)

- [X] i. Counsel certifies that, upon information and belief, each item of information listed herein was either
 - [X] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - [] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in \$1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following)

[] ii. A check (check no. _____) for the fee set forth in \$1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

- [] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.
- [] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) state as follows under 37 CFR \$1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein was either

(Check one of the boxes "a" and "b" below)

- [] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- [] (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in \$1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following and this note) A check (check no. _____) for/ Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in \$1.17(p), presently believed to be \$180 is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

In re Appln. No. 09/895,310

- 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.
- 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).
- 4. Other information being provided for the examiner's consideration follows:

A copy of the European Search Report is attached.

5. In accordance with 37 CFR §\$1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in \$1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicants reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK

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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO				Complete if Known		
	RMATION D	ISC	LOSURE	Application Number	09/895,310	
STATEMENT BY APPLICANT				Filing Date	July 2, 2001	
			PLICANI	First Named Inventor	Ronen SOMMER	
				Group Art Unit	2633	
(use as many sheets as necessary)			ecessary)	Examiner Name	Nathan CURS	
Sheet	1	of	1	Attorney Docket Number	SOMMER=1	

U.S. PATENT DOCUMENTS						
Examiner nitials*	Cite No.1	Document Number Number-Kind Code ^{2 (If known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		us-	·			
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FOREIGN PATENT DOCUMENTS						
		Foreign Patent Number	Publication Date	Name of Patentee or Applicant		
Examiner Cite Initials* No.1		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY	of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶
	AJ	EP 1 043 855 A1	10-11-2000	LUCENT TECHNOLOGIES INC.		
	AK	EP 0 926 852 A2	06-30-1999	CIT ALCATEL		
	<u> </u>		<u> </u>			

Examiner	 Date	
Signature	Considered	

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation designation number (optional). \(^2\) See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\)For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^3\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \(^6\) Applicant is to place a check mark here if English language Translation is attached.